

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	Case No. 2:10-CR-56
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
ARMAND FASSINGER ,	:	
	:	
Defendant.	:	

ORDER

This matter is before the Court on Defendant Armand Fassinger's Motion for Early Termination of Supervised Release. (Dkt. 18.) Fassinger is currently serving a three-year term of supervised release. On June 29, 2009, a search was conducted of Fassinger's residence which yielded 117 marijuana plants being grown in the basement of the residence. Fassinger was charged under 21 U.S.C. § 846 and 18 U.S.C. § 3553(f), a Class B felony. On April 9, 2010, Fassinger entered a plea of guilty to a bill of information and was released upon his own recognizance. On September 23, 2010, the Court sentenced Fassinger to one month of local incarceration, a \$100 special assessment and three years of supervised release.

The Court has the authority under 18 U.S.C. § 3583(e)(1) to "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release" after considering the factors set forth in Section 3553(a). These factors include: the "nature and circumstances of the offense and the history and characteristics of the defendant" as well as the "need for the sentence imposed to reflect the seriousness of the offense; to promote respect for the law and to provide just punishment for the offense; to afford

adequate deterrence to criminal conduct; to protect the public from further crimes of the defendant; and to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner.” *See* 18 U.S.C. 3553(a).

In considering the Section 3553(a) factors, above, the Court finds Fassinger’s request for early termination of supervised release to be appropriate. Fassinger has completed approximately one and a half years of his supervised release term and as such he is eligible for early termination. 18 U.S.C. § 3583(e)(1). The Government has represented that it does not oppose Fassinger’s request for early termination. Fassinger’s probation officer reports, as well, that Fassinger is an excellent candidate for early release. Fassinger has fulfilled all of the conditions of his supervised release, has secured and maintained two jobs, and has paid off his ordered special assessment in full.

Upon this Court’s consideration herein of the Section 3553(a) sentencing factors, Fassinger’s motion is **GRANTED**, and his term of supervised release is hereby **TERMINATED**.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

Dated: June 12, 2012